

ATTACHMENT A

**IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF MISSOURI**

AFFIDAVIT

I, Russell Ussery, being first duly sworn, do hereby depose and state the following:

1. Your affiant is a Deportation Officer with the Department of Homeland Security (DHS), United States Immigration and Custom Enforcement (ICE). I am presently assigned to the Springfield, Missouri, Enforcement and Removal Office. Among my primary duties as Deportation Officer is the investigation of illegal aliens currently located within the United States. I have received training in the area of illegal aliens reentering the United States and have had the opportunity to participate in separate investigations involving these criminal violations.

2. This affidavit is submitted for the limited purpose of establishing probable cause that EDWIN EDGARDO RODRIGUEZ-RODRIGUEZ, the defendant herein, committed a violation of Title 8, United States Code, Section 1326(a) and (b)(1). Consequently, this affidavit does not include every fact known to me.

3. On March 25, 2018, EDWIN EDGARDO RODRIGUEZ-RODRIGUEZ, date of birth, September 23, 1974, herein referred to as the defendant, an alien who is a native and citizen of Honduras, was arrested by the Springfield, Missouri Police Department, for Assault 4th Degree under the Alias of Jose Louise FRANCISCO-Lopez and booked into the Greene County, Missouri Jail. The defendant's fingerprints were searched by the Greene County, Missouri Jail which generated a Secure Communities hit with the PERC (Pacific Enforcement Response Center). The PERC contacted Enforcement and Removal Operations, Deportation Officer Carrick Stewart who then conducted a telephonic interview. Deportation Officer Stewart identified the defendant as, a national and citizen of Honduras with three confirmed deportations to Honduras. An Immigration Detainer was placed on file with the Greene County, Missouri, jail. On March 26, 2018, the defendant was released to Enforcement and Removal Operations Springfield, Missouri. While in custody, the defendant, under oath, admitted to his true and correct name and prior removals from the United States to Honduras. The defendant's finger prints were scanned into IAFIS, (Integrated Automated Fingerprint Identification System). This scan provided a positive biometric match to EDWIN EDGARDO RODRIGUEZ-RODRIGUEZ, Alien File Number A78 993 178.

4. A review of the defendant's official immigration file revealed that on November 19, 2002, the defendant was served with an ordered of deportation from the United States to Honduras and was subsequently deported from the United States to Honduras on December 20, 2002, at Houston, Texas, on December 9, 2004, at Alexandra, Louisiana, and again on October 1, 2013, at Phoenix/Mesa, Arizona.

5. A review of the defendant's official immigration file and Immigration and Customs Enforcement computer indices indicate no record of the defendant obtaining permission from the United States Attorney General or the Secretary of the Department of Homeland Security for admission into the United States after deportation.

6. On May 24, 2001, the 22nd Judicial District Court of Hayes County, Texas convicted the defendant for Felony Possession of a Controlled Substance Cocaine, and to Felony Bail Jumping. The defendant was sentenced to 18 months in the Texas Department of Corrections.

7. On November 19, 2003, the United States Federal Court in the Southern District of Texas convicted the defendant for 8 USC 1326 Illegally Re-Entry. The defendant was sentenced to 15 months in the Federal Bureau of Prisons.

8. On March 26, 2018, the defendant was served with form I-871 (Notice of Intent/Decision to Reinstate Prior Order) by Deportation Officer Ben Dunlap.

Further affiant sayeth not.



Russell Ussery
Deportation Officer
United States Immigration and Custom
Enforcement

Sworn and subscribed to before me this 16th day of April, 2018.



David P. Rush
United States Magistrate Judge